



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,304	09/16/2006	Tateo Toyama	278542009300	5968
25225 7590 07/13/2010 MORRISON & FOERSTER LLP 12531 HIGH BLUFF DRIVE SUITE 100 SAN DIEGO, CA 92130-2040				
EXAMINER				
HWANG, STAMFORD				
ART UNIT		PAPER NUMBER		
2617				
MAIL DATE		DELIVERY MODE		
07/13/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/549,304

Applicant(s)

TOYAMA ET AL.

Examiner

STAMFORD HWANG

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-8 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 16 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/G6/G6)
Paper No(s)/Mail Date 09/16/2005 and 11/09/2007
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 2, 4, 5, 6 and 7 are rejected under 35 U.S.C. 102(a) as being anticipated by Suzuki et al. (J.P. 2002-101059 A).

With respect to Claim 1, Suzuki et al. teaches a portable audio/video playback apparatus having a broadcast receiving function, the portable audio/video playback apparatus comprising an apparatus main body (**Drawing 1, Cellular Phone B**) with a speaker and a display capable of reproducing and outputting an audio signal and a video signal (**Paragraph [0015]**), and a broadcast receiver unit removably attached to the apparatus main body (**Drawing 1, Data-broadcasting Receiving Unit A**), the apparatus main body comprising:

- interface means for connecting thereto the broadcast receiver unit (**Drawing 2; Cellular Phone B has to have an interface means to receive broadcast data.**);
- audio signal processing means connected to the interface means for applying a signal processing to an audio signal externally fed thereto to prepare a signal to be outputted to the speaker, and feeding the signal to the speaker (**Drawing 1 and Paragraph [0013] - [0015]**); and

- video signal processing means connected to the interface means for applying a signal processing to a video signal externally fed thereto to prepare a signal to be outputted to the display, and feeding the signal to the display (**Drawing 1 and Paragraph [0013] - [0015]**), the broadcast receiver unit comprising:
 - interface means connected to the interface means of the apparatus main body (**Drawing 2, External Connection Terminal 20**); and
 - signal feeding means for feeding an audio signal and a video signal included in a received television broadcast signal to the interface means (**Drawing 2, CPU 1 and Paragraph [0015]**).

With respect to Claim 2, Suzuki et al. teaches wherein the apparatus main body comprises power source means for serving as a power source of the speaker, the display, the audio signal processing means and the video signal processing means (**Paragraph [0019]**), while the broadcast receiver unit comprises power source means for serving as a power source of the signal feeding means (**Drawing 2, Power Supply for Drive 12**).

With respect to Claim 4, Suzuki et al. teaches wherein the apparatus main body has a telephone communication function, and is capable of demonstrating the telephone communication function both with the broadcast receiver unit attached thereto and with the broadcast receiver unit removed therefrom (**Drawing 1 and Paragraph [0013]**).

With respect to Claim 5, Suzuki et al. teaches wherein the apparatus main body comprises receiving means for receiving an audio signal and/or a visible information signal from a telephone network, and the audio signal processing means applies a signal processing to the audio signal received by the receiving means for output to the speaker, while the video signal processing means applies a signal processing to the visible information signal received by the receiving means for output to the display **(Drawing 1 and Paragraph [0013] - [0015])**.

With respect to Claim 6, Suzuki et al. teaches wherein the receiving means of the apparatus main body is used also as a receiving means for a television broadcast signal with the broadcast receiver unit attached to the apparatus main body **(Drawing 3 and Paragraphs [0016] - [0019])**.

With respect to Claim 7, Suzuki et al. teaches wherein the broadcast receiver unit comprises receiving means for receiving a television broadcast signal, and the receiving means is used also as a receiving means for receiving an audio signal and/or a visible information signal from a telephone network with the broadcast receiver unit attached to the apparatus main body **(Drawing 1 and Paragraph [0013] - [0015])**.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (J.P. 2002-101059 A) as applied to Claim 1 above, and further in view of Kawata et al. (U.S. 2003/0181226 A1).

With respect to Claim 3, Suzuki et al. teaches all of the limitations in Claim 1 as discussed above. Suzuki et al. further teaches a broadcast receiver unit (**Drawing 1, Data-broadcasting Receiving Unit A**) and "while the pair of input terminals of the apparatus main body and the pair of output terminals of the broadcast receiver unit contact with each other with the containing portion containing the broadcast receiver unit" (**Drawing 3 and Paragraphs [0016] - [0019]**).

Suzuki et al. does not teach wherein the broadcast receiver unit comprises:

- power source means for serving as a power source of the signal feeding means, and the speaker, the display, the audio signal processing means and the video signal processing means of the apparatus main body; and
- a pair of output terminals for outputting power obtained from the power source means, while the apparatus main body comprises a casing incorporating therein the speaker, the display, the audio signal processing means and the video signal processing means, the casing comprising a pair of input terminals for inputting power and having recessed therein a containing portion capable of interchangeably containing a battery pack for serving as a power source of the speaker, the display, the audio signal

processing means and the video signal processing means, and the broadcast receiver unit, wherein the pair of input terminals of the apparatus main body and a pair of output terminals of the battery pack contact with each other with the containing portion containing the battery pack, while the pair of input terminals of the apparatus main body and the pair of output terminals of the broadcast receiver unit contact with each other with the containing portion containing the broadcast receiver unit.

Kawata et al. teaches:

- power source means for serving as a power source of the signal feeding means, and the speaker, the display, the audio signal processing means and the video signal processing means of the apparatus main body (**Fig. 3, Battery Pack 1; Battery pack 1 can connect to the mobile telephone to provide power to the mobile telephone.**); and
- a pair of output terminals for outputting power obtained from the power source means, while the apparatus main body comprises a casing incorporating therein the speaker, the display, the audio signal processing means and the video signal processing means, the casing comprising a pair of input terminals for inputting power and having recessed therein a containing portion capable of interchangeably containing a battery pack for serving as a power source of the speaker, the display, the audio signal processing means and the video signal processing means, and the broadcast receiver unit, wherein the pair of input terminals of the

apparatus main body and a pair of output terminals of the battery pack contact with each other with the containing portion containing the battery pack **(Fig. 3, Connector 6; Fig. 3 (a) shows clearly that a recessed area, which has a connector 6, is to connect battery pack 1 to the mobile telephone body 2. The mobile telephone body 2 is inherent to enclose the claimed elements as the elements are essential to a mobile telephone.)**.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the apparatus in Suzuki et al. to include a removable battery pack, as taught by Kawata et al., to allow switching batteries when one of multiple batteries is depleted.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (J.P. 2002-101059 A) as applied to Claim 1 above, and further in view of Umezawa et al. (U.S. 5,491,507).

With respect to Claim 8, Suzuki et al. teaches all of the limitations in Claim 1 as discussed above. Suzuki et al. does not teach wherein the apparatus main body has a photography function for a still picture and/or a motion picture, and is capable of demonstrating the photography function both with the broadcast receiver unit attached thereto and with the broadcast receiver unit removed therefrom.

Umezawa et al. teaches handy type video telephone equipment which has a camera built into the telephone equipment **(Fig. 1, Camera 3)**.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the apparatus in Suzuki et al. to include a camera, as taught by Umezawa et al. to allow users to take pictures with their telephone equipment.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ando et al. (J.P. 2002-271860 A) teaches a television broadcasting signal module that allows a mobile telephone to receive television signals.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STAMFORD HWANG whose telephone number is (571)270-5578. The examiner can normally be reached on Monday ~ Friday 9:00AM ET~ 6:00PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571)272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S.H./

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617